

REMARKS/ARGUMENTS

The Applicants originally submitted Claims 1-17 in the application. In a previous response, Claims 1-8 were canceled. In the present response, the Applicants have canceled claim 13 and amended Claims 9-14 and 16. No claims have been added. Accordingly, Claims 9-12 and 14-17 are currently pending in the application.

I. Formal Matters and Objections

The Examiner has objected to the drawings for failing to comply with 37 CFR §1.84(p)(5). In response, the Applicants have amended Figure 4 (*see* the Replacement Sheet) to include the reference character “Qsb” and “Qs.” Additionally, the Applicants corrected Figure 4 to illustrate a connection between the output of the M_{41} - M_{42} inverter and the input of the M_{43} - M_{44} inverter. Accordingly, the Applicants respectfully request that the Examiner withdraw the objection to the drawings.

The Examiner has also objected to the claims for containing informalities. In response, the Applicants have amended the claims to correct these informalities. Accordingly, the Applicants respectfully request that the Examiner withdraw the objection to the claims.

II. Rejection of Claims 13-14 under 35 U.S.C. §112

The Examiner has rejected Claims 13-14 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.

In response, the Applicants have amended Claim 13 to clarify the invention and direct the Examiner to page 4, lines 12-16 and page 6, lines 16-19. Additionally, the Applicants have amended Claim 14 as suggested by the Examiner. Accordingly, the Applicants respectfully request the Examiner to withdraw this rejection and allow issuance of Claims 13-14.

III. Rejection of Claims 9-11 and 15-17 under 35 U.S.C. §102

The Examiner has rejected Claims 9-11 and 15-17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,680,482 to Obara. The Applicants respectfully disagree.

Obara does not teach a toggle flip-flop circuit having a bistable element, first and second capacitors, and means for inhibiting transitions in an input signal from affecting means responsive to voltages at the capacitors for switching the binary state of the bistable element. (*See* Claim 9.) Obara is directed to an inverter for use in a binary counter. (*See* column 1, lines 6-11.) Obara teaches the inverter has transistors cross-connected to form a flip-flop. (*See* column 7, lines 15-17 and Figure 3.) Obara provides no teaching, however, of a means for inhibiting as presently claimed. Obara, therefore, does not teach each element of Claim 9 or Claims dependent thereon and does not anticipate Claims 9-11 and 15-17. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102 rejection with respect to Claims 9-11 and 15-17.

II. Rejection of Claim 12 under 35 U.S.C. §103

The Examiner has rejected Claim 12 under 35 U.S.C. §103(a) as being unpatentable over Obara in view of U.S. Patent No. 3,457,435 to Burns, *et al.* The Applicants respectfully disagree.

As discussed above, Obara does not teach each element of independent Claim 9. Obara also does not suggest each element of Claim 9 since Obara does not address means for inhibiting as recited in Claim 9. (See Figure 3.) On the contrary, Obara is directed to providing an inverter with a relatively small number of elements. (See column 1, lines 41-45.) Burns is directed to a pair of FETs of opposite conductivity type configured to operate both on or both off simultaneously. (See column 1, lines 13-17.) Burns has not been cited to cure the above deficiency of Obara but to teach a pass transistor configuration as recited in dependent Claim 12. Furthermore, Burns does not teach or suggest means for inhibiting but simply provides a complementary field-effect transistor gate. (See column 1, lines 19-21.)

Thus, the cited combination of Obara and Burns fails to teach or suggest each element of independent Claim 9 and, therefore, does not provide a *prima facie* case of obviousness for Claim 9 and Claim 12 which depends thereon. Accordingly, Claim 12 is not obvious in view of Obara and Burns.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claim 12 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection of Claim 12 and allow issuance thereof.


III. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 9-12 and 14-17.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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IN THE DRAWINGS:

The attached Replacement Sheet includes an amended Figure 4 that adds Qs and Qsb. Additionally, a connection between the output of the M_{41} - M_{42} inverter and the input of the M_{43} - M_{44} inverter has been added. The Replacement Sheet does not show any changes.

Attachment: Replacement Sheet